

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TENNESSEE  
NORTHERN DIVISION AT KNOXVILLE**

J. RON DILLMON, )  
                        )  
Plaintiff,         )  
                        )  
vs.                   )      Case No.: 3:14-CV-474  
                        )  
MID-CENTURY INSURANCE )      Removed from the Circuit Court  
COMPANY,             )      of Jefferson County, Tennessee  
                        )      (Case No. 23987-I)  
Defendant.          )

**NOTICE OF REMOVAL**

Defendant, Mid-Century Insurance Company, (“Defendant”), pursuant to the provisions of 28 U.S.C. §§ 1332, 1441 and 1446, respectfully submits this Notice of Removal for the purpose of removing the above-entitled action from the Circuit Court of Jefferson County, Tennessee, to the United States District Court for the Eastern District of Tennessee Northern Division at Knoxville. As grounds for removal, Defendant states as follows:

1.     On May 30, 2014, Plaintiff J. Ron Dillmon (“Plaintiff”) filed a Complaint (the “Complaint”) commencing the action styled J. RON DILLMON v. MID-CENTURY INSURANCE COMPANY in the Circuit Court for Jefferson County, Tennessee, Case No. 23987-I.
2.     On or about September 8, 2014, Defendant received a copy of the Summons and Complaint. A copy of the Summons and Complaint Defendant received is attached hereto as Collective Exhibit A.

3. This action is a civil action of which this Court has original jurisdiction under 28 U.S.C. § 1332(a)(1), and may be removed to this Court by Defendant pursuant to the provisions of 28 U.S.C. §§ 1441 and 1446.

4. This Notice of Removal is timely filed pursuant to 28 U.S.C. § 1446(b), having been filed within thirty (30) days after Defendant's receipt of the Summons and Complaint.

5. This action is removable on the basis of diversity of citizenship pursuant to 28 U.S.C. § 1332(a)(1). Plaintiff is a citizen and resident of Tennessee. Defendant is a California corporation with its principal place of business<sup>1</sup> in Los Angeles, California.

6. As set forth in Plaintiff's Complaint, the amount in controversy exceeds \$75,000.00 pursuant to 28 U.S.C. § 1332(a).

7. This action has been properly removed to this district court as 28 U.S.C. § 1446(a) specifies that the notice of removal shall be filed in the district court of the United States for the district in which such action is pending. Pursuant to 28 U.S.C. § 123(a)(1), this district and division encompasses Jefferson County, Tennessee, where the action was pending prior to removal.

8. Pursuant to 28 U.S.C. § 1446(d), Defendant will promptly file a Notice of Filing of Notice of Removal with the Clerk of the Circuit Court for Jefferson County, Tennessee, with a copy to be served on Plaintiff's counsel. A copy of the Notice of Filing of Notice of Removal is attached hereto as **Exhibit B**.

9. Pursuant to 28 U.S.C. § 1446(a), Defendant has attached as **Collective Exhibit A**, a copy of all process, pleadings and orders served upon Defendant in the state court action.

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<sup>1</sup> The "principal place of business" is best read as referring to the place where a corporation's officers direct, control and coordinate the corporation's activities. It is the place that Courts of Appeals have called the corporation's nerve "center." Hertz Corp. v. Friend, 559 U.S. 77 (2010).

10. By removing this action, Defendant does not waive any defenses, objections or motions available to it under state and federal law.

WHEREFORE, Defendant Mid-Century Insurance Company, pursuant to 28 U.S.C. §§ 1441 and 1446, respectfully submits, based upon the allegations set forth in this Notice of Removal, that this action is properly removed and requests that this Court retain jurisdiction over this action.

DATED: October 7, 2014

Respectfully submitted,

TAYLOR, PIGUE, MARCHETTI & BLAIR,  
PLLC

BY: /s/ Wm. Ritchie Pigue

Wm. Ritchie Pigue, BPR #2898  
Matthew C. Pietsch, BPR #24659  
Attorneys for Defendant  
2908 Poston Avenue  
Nashville, TN 37203  
(615) 320-3225  
[rpique@tpmblaw.com](mailto:rpique@tpmblaw.com)  
[mpietsch@tpmblaw.com](mailto:mpietsch@tpmblaw.com)

**CERTIFICATE OF SERVICE**

I hereby certify that a true and exact copy of the foregoing was filed electronically with the Clerk of Court to be served by operation of the Court's electronic filing system and via U.S. Mail upon the following this 7th day of October, 2014:

Mr. Dallas T. Reynolds  
Attorney for Plaintiff  
6204 Baum Drive  
Knoxville, TN 37919

/s/ Wm. Ritchie Pigue  
Wm. Ritchie Pigue